

Serial No. 10/767,531
Filing Date: January 29, 2004
Amendment and Response to Office Action
Page 4 of 6

REMARKS

In response to the final Office Action mailed February 14, 2006, the Attorney for the Assignee submits the appended amendments and remarks. Claims 20, 23, 24, and 28 are amended by the present response. After entry of the present amendment and remarks, claims 20-29 remain pending in the present application. The present amendment and response traverses all of the prior Office Action rejections, and allowance of the pending claims is kindly requested.

I. REJECTION OF CLAIM 20-29 UNDER 35 U.S.C. 112

The Office Action rejected claims 20-29 under 35 U.S.C. 112, 2nd Paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter. Claim 20 has been amended to clarify that the "strap system" can include a "strap" and a "separate patch". Claims 21-29 are ultimately dependent from independent claim 20. The rejection of claims 20-29 is believed to be traversed.

II. ANTICIPATION OF CLAIMS 20, 24-26, and 28 BY BULLOCK

The Office Action rejected claims 20, 24-26, and 28 under 37 C.F.R. § 102(b) as being anticipated by *Bullock* (U.S. Patent No. 6,089,802). The rejection of claims 20, 24-26, and 28 is respectfully traversed. *Bullock* relates to use of an adhesive on a load restraining strip, and does not disclose or suggest a "separate patch" as in the Applicant's claimed invention. Applicant's specification describes the use of a "patch" on at least page 20, line 15 – page 22, line 5. For example, the specification states that "[t]he patch may be attached using an adhesive, stitching, or thermal bonding." Specification, page 20, lines 22-23. *Bullock* does not disclose or suggest a

Serial No. 10/767,531
Filing Date: January 29, 2004
Amendment and Response to Office Action
Page 5 of 6

"separate patch". For at least the reasons provided above, the anticipation rejection under *Bullock* should be overcome.

III. ANTICIPATION OF CLAIMS 20 and 24-27 BY BLATT

The Examiner rejected claims 20 and 24-27 under 37 C.F.R. § 103(a) as being anticipated by *Blatt* (U.S. Patent No. 4,264,251). This rejection is respectfully traversed. *Blatt* relates to use of an adhesive coating on load confining barrier, and does not disclose or suggest a "separate patch" as in the Applicant's claimed invention. Applicant's specification describes the use of a "patch" on at least page 20, line 15 – page 22, line 5. For example, the specification states that "[t]he patch may be attached using an adhesive, stitching, or thermal bonding." Specification, page 20, lines 22-23. *Blatt* does not disclose or suggest a "separate patch". For at least the reasons provided above, the anticipation rejection under *Blatt* should be overcome.

IV. OBVIOUSNESS OF CLAIMS 21-23, and 29 OVER BULLOCK IN VIEW OF EPSTEIN


The Examiner rejected claims 21-23, and 29 under 37 C.F.R. § 103(a) as being unpatentable over *Bullock* in view of *Epstein* (U.S. Patent No. 6,478,229). For at least the reasons provided above, the obviousness rejection should also be traversed.

Serial No. 10/767,531
Filing Date: January 29, 2004
Amendment and Response to Office Action
Page 6 of 6

CONCLUSION

Claims 20-29 are pending in the application. The Office Action rejections are believed to be traversed by the present amendment and response. Claims 20-29 should now be in condition for allowance. The Examiner is invited and encouraged to contact the undersigned attorney of record at (404) 815-6048 if such contact will facilitate a Notice of Allowance for claims 20-29. If any additional fees are due, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,


Christopher J. Chan
Reg. No. 44,070
Attorney for Assignee

DATE: 14 APRIL 2006

KILPATRICK STOCKTON LLP
Suite 2800
1100 Peachtree Street, N.E.
Atlanta, Georgia 30309-4530
Main: (404) 815-6500
Fax: (404) 815-6555